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DEPARTMENT OF COMMERCE

International Trade Administration

[C-570-991]

**Chlorinated Isocyanurates from the People's Republic of China: Final Results of
Countervailing Duty Administrative Review; 2016**

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: The U.S. Department of Commerce (Commerce) has completed its administrative review of the countervailing duty (CVD) order on chlorinated isocyanurates (chloro isos) from the People's Republic of China (China) for the period of review (POR) January 1, 2016 through December 31, 2016, and determines that countervailable subsidies are being provided to producers and exporters of chloro isos. The final net subsidy rates are listed below in "Final Results of Administrative Review."

DATES: Applicable [INSERT DATE OF PUBLICATION IN THE *FEDERAL REGISTER*].

FOR FURTHER INFORMATION CONTACT: Omar Qureshi or Susan Pulongbarit, AD/CVD Operations, Office V, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue, NW, Washington, DC 20230; telephone 202-482-5307 or 202-482-4031, respectively.

SUPPLEMENTARY INFORMATION:

Background

On November 13, 2014, Commerce published the CVD *Order* on chloro isos from China.¹ On November 30, 2018, Commerce published the *Preliminary Results* of this administrative review in the *Federal Register*.² We invited interested parties to comment on the *Preliminary Results*. On February 15, 2019, we received case briefs from the petitioners,³ the Government of China (GOC), and from the mandatory respondents, Heze Huayi⁴ and Kangtai.^{5,6} On February 22, 2019, we received rebuttal briefs from the petitioners, the GOC, and from the mandatory respondents, Heze Huayi and Kangtai.⁷ On January 28, 2019, Commerce exercised its discretion to toll all deadlines affected by the partial federal government closure from December 22, 2018 through the resumption of operations on January 29, 2019.⁸ On May 9, 2019, Commerce extended the time period for issuing the final results to June 18, 2019.⁹ On June 4, 2019, Commerce fully extended the time period for issuing the final results to July 12, 2019.¹⁰

¹ See *Chlorinated Isocyanurates from the People's Republic of China: Countervailing Duty Order*, 79 FR 67424 (November 13, 2014) (*Order*).

² See *Chlorinated Isocyanurates from the People's Republic of China: Preliminary Results of Countervailing Duty Administrative Review; 2016*, 83 FR 63159 (December 7, 2018) and accompanying Preliminary Decision Memorandum (*Preliminary Results*).

³ Bio-Lab, Inc., Clearon Corporation, and Occidental Chemical Corporation (collectively, the petitioners).

⁴ Heze Huayi Chemical Co., Ltd. (Heze Huayi).

⁵ Juancheng Kangtai Chemical Co., Ltd. (Kangtai).

⁶ See Petitioners' Letter, "Case Brief of Bio-Lab, Inc., Clearon Corp. and Occidental Chemical Corporation," dated February 15, 2019, 2019; GOC's Letter, "GOC Administrative Case Brief: Third Administrative Review of the Countervailing Duty Order on Chlorinated Isocyanurates from the People's Republic of China (C-570-991)," dated January 16, 2018; and Heze Huayi and Kangtai's Letter, "Chlorinated Isocyanurates from the People's Republic of China: Case Brief," dated February 15, 2019.

⁷ See Petitioners' Letter, "Rebuttal Brief of Bio-Lab, Inc., Clearon Corp. and Occidental Chemical Corporation," dated February 22, 2019; GOC's Letter, "GOC Rebuttal Brief: Third Administrative Review of the Countervailing Duty Order on Chlorinated Isocyanurates from the People's Republic of China (C-570-991)," dated February 22, 2019; and Heze Huayi and Kangtai's Letter, "Chlorinated Isocyanurates from the People's Republic of China: Rebuttal Brief," dated February 22, 2019.

⁸ See Memorandum to the Record from Gary Taverman, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance, "Deadlines Affected by the Partial Shutdown of the Federal Government," dated January 28, 2019. All deadlines in this segment of the proceeding have been extended by 40 days.

⁹ See Memorandum, "Chlorinated Isocyanurates from the People's Republic of China: Extension of Deadline for Final Results of Third Countervailing Administrative Review," dated May 9, 2019.

¹⁰ See Memorandum, "Chlorinated Isocyanurates from the People's Republic of China: Extension of Deadline for Final Results of Third Countervailing Administrative Review," dated June 4, 2019.

Scope of the *Order*

The products covered by the *Order* are chloro isos, which are derivatives of cyanuric acid, described as chlorinated s-triazine triones. Chloro isos are currently classifiable under subheadings 2933.69.6015, 2933.69.6021, 2933.69.6050, 3808.50.4000, 3808.94.5000, and 3808.99.9500 of the Harmonized Tariff Schedule of the United States (HTSUS). The HTSUS subheadings are provided for convenience and customs purposes; the written product description of the scope of the *Order* is dispositive. For a full description of the scope, see the Issues and Decision Memorandum.¹¹

Analysis of Comments Received

All issues raised in the parties' briefs are listed in the Appendix to this notice and addressed in the Issues and Decision Memorandum. The Issues and Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at <http://access.trade.gov> and in the Central Records Unit, Room B8024 of the main Commerce building. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at <http://enforcement.trade.gov/frn>. The signed Issues and Decision Memorandum and the electronic version of the Issues and Decision Memorandum are identical in content.

Changes Since the *Preliminary Results*

Based on case briefs, rebuttal briefs, and all supporting documentation, we made no changes from the *Preliminary Results*.

Methodology

¹¹ See Memorandum, "Decision Memorandum for Final Results and Partial Rescission of Review of Countervailing Duty Administrative Review: Chlorinated Isocyanurates from the People's Republic of China," dated concurrently with this notice (Issues and Decision Memorandum).

Commerce conducted this review in accordance with section 751(a)(1)(A) of the Tariff Act of 1930, as amended (the Act). For each of the subsidy programs found countervailable, we find that there is a subsidy, *i.e.*, a government-provided financial contribution that gives rise to a benefit to the recipient, and that the subsidy is specific.¹² The Issues and Decision Memorandum contains a full description of the methodology underlying Commerce's conclusions, including any determination that relied upon the use of adverse facts available pursuant to sections 776(a) and (b) of the Act.

Final Results of Review

In accordance with 19 CFR 351.221(b)(5), we determine the following net subsidy rates for the 2016 administrative review:

Company	Subsidy Rate
Heze Huayi Chemical Co., Ltd.	1.71 percent
Juancheng Kangtai Chemical Co., Ltd.	1.54 percent

Assessment Rates

In accordance with 19 CFR 351.212(b)(2), Commerce intends to issue assessment instructions to U.S. Customs and Border Protection (CBP) 15 days after the date of publication of these final results of review, to liquidate shipments of subject merchandise produced and/or exported by the companies listed above, entered, or withdrawn from warehouse, for consumption on or after January 1, 2016 through December 31, 2016, at the *ad valorem* rates listed above.

Cash Deposit Instructions

In accordance with section 751(a)(1) of the Act, Commerce intends to instruct CBP to collect cash deposits of estimated countervailing duties in the amounts shown for each of the

¹² See sections 771(5)(B) and (D) of the Act regarding financial contribution; section 771(5)(E) of the Act regarding benefit; and section 771(5A) of the Act regarding specificity.

respective companies listed above. For all non-reviewed firms, we will instruct CBP to continue to collect cash deposits at the most recent company-specific or all-others rate applicable to the company. These cash deposit requirements, when imposed, shall remain in effect until further notice.

Administrative Protective Orders

This notice also serves as a reminder to parties subject to administrative protective order (APO) of their responsibility concerning the destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of the return or destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a sanctionable violation.

Notification to Interested Parties

We are issuing and publishing these final results in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: July 12, 2019.

Jeffrey I. Kessler,

Assistant Secretary

for Enforcement and Compliance.

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Appendix

List of Topics Discussed in the Final Decision Memorandum

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- [FR Doc. 2019-15919 Filed: 7/31/2019 8:45 am; Publication Date: 8/1/2019]